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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,992	08/02/2001	Graham John Simms	4254	7173

7590

07/22/2003

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EXAMINER

PRONE, JASON D

ART UNIT	PAPER NUMBER
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3724

19

DATE MAILED: 07/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/919,992

Applicant(s)

SIMMS, GRAHAM JOHN

Examiner

Jason Prone

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-13 and 15-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-13, 23 and 24 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7, 9, 10, 16, 17 and 19-22 is/are rejected.
- 7) ☒ Claim(s) 8, 15 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 07 October 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 13.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Specification

1. As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Objections

2. Claim 15 objected to because of the following informalities: On line 1, the phrase "A razor as defined in claim 14" should be replaced with "A razor as defined in claim 13" or "A razor as defined in claim 11". It is noted that this error is a typo and that claim 15

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will be examined as if it was dependent off of the parent claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3 and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Schauble.

Schauble discloses the same invention including a blade unit carrying structure (14) on which a blade unit (42) is permanently mounted (Fig. 4), that the blade unit is pivotally mounted relative to the blade carrying structure (Fig. 9) about a predetermined axis extending longitudinally through the blade unit (223), a delivery system (34) for conducting a fluid dispensed from a reservoir (16) connected to the blade unit carrying structure (Fig. 4) to at least one discharge port (52), that the discharge port has an opening (Fig. 3 arrows) located close to the predetermined axis (Fig. 9) for discharging fluid to the blade unit at a guard surface (Fig. 4 below blade 58 above the number 52) near the pivot point (Fig. 9), that the discharge port opening is defined by a part which remains stationary (226) with respect to the blade unit carrying structure during pivotal movement (Fig. 9), that the stationary part is not mechanically coupled directly to the blade unit (Fig. 8), that the discharge port is disposed to deliver fluid at a guard surface of the blade unit (Fig. 3), that the discharge port has an opening located at or close to

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the predetermined pivot axis (Figs. 7 and 8), that the blade unit includes a channel (25) for distributing fluid delivered through the discharge port across the blade unit in the direction of the pivot axis (Fig. 8), that the channel is open continuously along the length to allow fluid to pass through (46), and that the channel is substantially parallel to the pivot axis (Fig. 3).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9, 10, 16, 17, 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schauble in view of Hackmyer. Schauble discloses the invention but fails to disclose that the blade unit carrying structure is movably connected to a supporting structure and is movably relative to the supporting structure for actuating a valve, that the blade unit carrying structure is hingedly coupled to the supporting structure for the valve to be actuated when the blade is pressed against the skin, that the reservoir is formed by a container having a rim surrounding the valve, that the supporting structure is firmly attached, by friction, to the container at the rim, a valve member, a sealing member, that the valve member cooperates with an annular valve seat and is capable of tilting to open the valve, and that the blade unit carrying structure comprises a hollow stem structure extending from a flange base, and that the base is engagable by a finger for displacing the blade unit to actuate the valve. Hackmyer

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teaches a blade unit carrying structure that is movably connected to a supporting structure (Fig. 10) and is movably relative to the supporting structure (21a) for actuating a valve (Fig. 1), a blade unit carrying structure that is hingedly coupled to the supporting structure for the valve to be actuated when the blade is pressed against the skin (Fig. 1), a reservoir that is formed by a container having a rim surrounding the valve (Fig. 3), and that the supporting structure is firmly attached, by friction, to the container at the rim (Fig. 3), a valve member (25a), a sealing member (Fig. 3), that the valve member cooperates with an annular valve seat (Fig. 3) and is capable of tilting to open the valve (Fig. 1), that the blade unit carrying structure comprises a hollow stem structure (23c) extending from a flange base (Fig. 3), and that the base is engagable by a finger for displacing the blade unit to actuate the valve. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have provided Schauble with the characteristics taught by Hackmyer to allow for an easier way of dispensing fluid during a shaving operation.

Response to Arguments

7. Applicant's arguments with respect to claims 1-3, 5-7, 9, 10, 16, 17, 19-22 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

8. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claims 11-13, 23, and 24 are allowed.

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10. Claims 15 and 18 would be allowable if rewritten to overcome the Claim Objections set forth in this Office action.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Armbruster et al.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Prone whose telephone number is 703-605-4287. The examiner can normally be reached on 7:30-5:00, Mon - (every other) Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 703-308-1082. In lieu of mailing, it is encouraged that all formal responses be faxed to 703-872-9302.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-

1148.



JP
July 18, 2003



Allan N. Shoap
Supervisory Patent Examiner
Group 3700